

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PAULA WALLRICH, DANIELLE JONES, GRANT
GRINNELL, JEFFREY BURTON, RHONDA
MCCALLUM, PROVIDENCIA VILLEGAS, AND
49,980 OTHER INDIVIDUALS,

Petitioners,

v.

SAMSUNG ELECTRONICS AMERICA, INC.; and
SAMSUNG ELECTRONICS CO., LTD. (d/b/a
Samsung Electronics America, Inc.),

Respondent.

Civil Action No. 1:22-cv-05506

Hon. Harry D. Leinenweber

RESPONSE TO MOTION FOR REASSIGNMENT OF RELATED CASE

Petitioners¹, by and through their undersigned counsel, file this response to Respondents' Motion for Reassignment of Related Case. Petitioners do not take a position as to whether the motion should be granted, but herein respond to Samsung's allegations regarding the 241 Petitioners who are allegedly represented by both Labaton Sucharow LLP ("Labaton") and Milberg Coleman Bryson Phillips Grossman PLLC and Robbins Geller Rudman & Dowd LLP ("Milberg and Robbins Geller"). Petitioners aver the following:

1. Samsung filed its Motion for Reassignment of Related Case and alleged within that 241 of the Petitioners represented by Labaton are also represented by Milberg and Robbins Geller. Samsung Mot. at ¶8.

¹ Petitioners are 49,986 Samsung Galaxy device users who are attempting to arbitrate individual claims against Samsung for generating, collecting, and storing their biometric data in violation of Illinois' Biometric Information Privacy Act ("BIPA").

2. On multiple occasions, prior to any filing before this Court, Samsung alleged that some of the Petitioners were represented by additional firms. Despite repeated requests from the undersigned counsel, this is the first time Samsung has provided a list of claimants to whom this allegation applies.

3. Undersigned counsel is experienced in mass actions, including mass tort actions, wherein it is a common occurrence for clients to retain multiple firms. This does not undermine the legitimacy of the clients' claims nor the vetting process of a plaintiff firm. In the undersigned's experience, it is usually the result of a client misremembering having already completed the retention process with the initial firm.

4. On April 4, 2023, Labaton, Milberg, and Robbins Geller met and conferred about the 241 potentially dually represented Petitioners.²

5. Counsel for all Petitioners developed a protocol to address dually represented Petitioners.

6. Counsel for all Petitioners are committed to ensuring that each Petitioner be represented by only one firm in their case against Respondent.

Dated: April 6, 2023

Respectfully submitted,

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² Since Samsung provided only names without email addresses, it is unconfirmed whether these are actually the same Petitioners.

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